



Rep. Robert Rita

**Filed: 4/20/2015**

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LRB099 04681 MLM 34501 a

1 AMENDMENT TO HOUSE BILL 850

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 850 by replacing  
3 everything after the enacting clause with the following:

4 "Section 3. The Regulatory Sunset Act is amended by  
5 changing Section 4.26 as follows:

6 (5 ILCS 80/4.26)

7 Sec. 4.26. Acts repealed on January 1, 2016. The following  
8 Acts are repealed on January 1, 2016:

9 ~~The Illinois Athletic Trainers Practice Act.~~

10 The Illinois Roofing Industry Licensing Act.

11 The Illinois Dental Practice Act.

12 The Collection Agency Act.

13 The Barber, Cosmetology, Esthetics, Hair Braiding, and  
14 Nail Technology Act of 1985.

15 The Respiratory Care Practice Act.

16 The Hearing Instrument Consumer Protection Act.

1 The Illinois Physical Therapy Act.

2 The Professional Geologist Licensing Act.

3 (Source: P.A. 95-331, eff. 8-21-07; 95-876, eff. 8-21-08;  
4 96-1246, eff. 1-1-11.)

5 Section 5. The Illinois Athletic Trainers Practice Act is  
6 amended by changing Sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12,  
7 13, 14, 16, 17, 17.5, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27,  
8 28, 29, 30, and 31 and by adding Sections 7.5, 18.5, 19.5, and  
9 36 as follows:

10 (225 ILCS 5/3) (from Ch. 111, par. 7603)

11 (Section scheduled to be repealed on January 1, 2016)

12 Sec. 3. Definitions. As used in this Act:

13 (1) "Department" means the Department of Financial and  
14 Professional Regulation.

15 (2) "Secretary" "~~Director~~" means the Secretary ~~Director~~ of  
16 Financial and Professional Regulation.

17 (3) "Board" means the Illinois Board of Athletic Trainers  
18 appointed by the Secretary ~~Director~~.

19 (4) "Licensed athletic trainer" means a person licensed to  
20 practice athletic training as defined in this Act and with the  
21 specific qualifications set forth in Section 9 of this Act who,  
22 upon the direction of his or her team physician or consulting  
23 physician, carries out the practice of prevention/emergency  
24 care or physical reconditioning of injuries incurred by

1 athletes participating in an athletic program conducted by an  
2 educational institution, professional athletic organization,  
3 or sanctioned amateur athletic organization employing the  
4 athletic trainer; or a person who, under the direction of a  
5 physician, carries out comparable functions for a health  
6 organization-based extramural program of athletic training  
7 services for athletes. Specific duties of the athletic trainer  
8 include but are not limited to:

9 A. Supervision of the selection, fitting, and  
10 maintenance of protective equipment;

11 B. Provision of assistance to the coaching staff in the  
12 development and implementation of conditioning programs;

13 C. Counseling of athletes on nutrition and hygiene;

14 D. Supervision of athletic training facility and  
15 inspection of playing facilities;

16 E. Selection and maintenance of athletic training  
17 equipment and supplies;

18 F. Instruction and supervision of student trainer  
19 staff;

20 G. Coordination with a team physician to provide:

21 (i) pre-competition physical exam and health  
22 history updates,

23 (ii) game coverage or phone access to a physician  
24 or paramedic,

25 (iii) follow-up injury care,

26 (iv) reconditioning programs, and

1 (v) assistance on all matters pertaining to the  
2 health and well-being of athletes.

3 H. Provision of on-site injury care and evaluation as  
4 well as appropriate transportation, follow-up treatment  
5 and rehabilitation as necessary for all injuries sustained  
6 by athletes in the program;

7 I. With a physician, determination of when an athlete  
8 may safely return to full participation post-injury; and

9 J. Maintenance of complete and accurate records of all  
10 athletic injuries and treatments rendered.

11 To carry out these functions the athletic trainer is  
12 authorized to utilize modalities, including, but not limited  
13 to, heat, light, sound, cold, electricity, exercise, or  
14 mechanical devices related to care and reconditioning.

15 (5) "Referral" means the guidance and direction given by  
16 the physician, who shall maintain supervision of the athlete.

17 (6) "Athletic trainer aide" means a person who has received  
18 on-the-job training specific to the facility in which he or she  
19 is employed, on either a paid or volunteer basis, but is not  
20 enrolled in an accredited athletic training curriculum.

21 (7) "Address of record" means the designated address  
22 recorded by the Department in the applicant's or licensee's  
23 application file or license file as maintained by the  
24 Department's licensure maintenance unit. It is the duty of the  
25 applicant or licensee to inform the Department of any change of  
26 address, and those changes must be made either through the

1 Department's website or by contacting the Department.

2 (8) "Board of Certification" means the Board of  
3 Certification for the Athletic Trainer

4 (Source: P.A. 94-246, eff. 1-1-06.)

5 (225 ILCS 5/4) (from Ch. 111, par. 7604)

6 (Section scheduled to be repealed on January 1, 2016)

7 Sec. 4. Licensure requirement - Exempt activities. No  
8 ~~After the effective date of this Act, no~~ person shall provide  
9 any of the services set forth in subsection (4) of Section 3 of  
10 this Act, or use the title "athletic trainer" or "certified  
11 athletic trainer" or "athletic trainer certified" or "licensed  
12 athletic trainer" or the letters "A.T.", "C.A.T.", "A.T.C.",  
13 "A.C.T.", or "I.A.T.L." after his or her name, unless licensed  
14 under this Act.

15 Nothing in this Act shall be construed as preventing or  
16 restricting the practice, services, or activities of:

17 (1) Any person licensed or registered in this State by  
18 any other law from engaging in the profession or occupation  
19 for which he or she is licensed or registered.

20 (2) Any person employed as an athletic trainer by the  
21 Government of the United States, if such person provides  
22 athletic training solely under the direction or control of  
23 the organization by which he or she is employed.

24 (3) Any person pursuing a course of study leading to a  
25 degree or certificate in athletic training at an accredited

1 educational program if such activities and services  
2 constitute a part of a supervised course of study involving  
3 daily personal or verbal contact at the site of supervision  
4 between the athletic training student and the licensed  
5 athletic trainer who plans, directs, advises, and  
6 evaluates the student's athletic training clinical  
7 education. The supervising licensed athletic trainer must  
8 be on-site where the athletic training clinical education  
9 is being obtained. A person meeting the criteria under this  
10 paragraph (3) must be designated by a title which clearly  
11 indicates his or her status as a student or trainee.

12 (4) (Blank).

13 (5) The practice of athletic training under the  
14 supervision of a licensed athletic trainer by one who has  
15 applied in writing to the Department for licensure and has  
16 complied with all the provisions of Section 9 except the  
17 passing of the examination to be eligible to receive such  
18 license. This temporary right to act as an athletic trainer  
19 shall expire 3 months after the filing of his or her  
20 written application to the Department; when the applicant  
21 has been notified of his or her failure to pass the  
22 examination authorized by the Department; when the  
23 applicant has withdrawn his or her application; when the  
24 applicant has received a license from the Department after  
25 successfully passing the examination authorized by the  
26 Department; or when the applicant has been notified by the

1        Department to cease and desist from practicing, whichever  
2        occurs first. This provision shall not apply to an  
3        applicant ~~In no event shall this exemption extend to any~~  
4        ~~person for longer than 3 months. Anyone who has previously~~  
5        ~~failed the examination, or who fails the examination during~~  
6        ~~this 3 month period, shall immediately cease practice as an~~  
7        ~~athletic trainer and shall not engage in the practice of~~  
8        ~~athletic training again until he or she passes the~~  
9        ~~examination.~~

10        (6) Any person in a coaching position from rendering  
11        emergency care on an as needed basis to the athletes under  
12        his or her supervision when a licensed athletic trainer is  
13        not available.

14        (7) Any person who is an athletic trainer from another  
15        state or territory of the United states or another nation,  
16        state, or territory acting as an athletic trainer while  
17        performing his or her duties for his or her respective  
18        non-Illinois based team or organization, so long as he or  
19        she restricts his or her duties to his or her team or  
20        organization during the course of his or her team's or  
21        organization's stay in this State. For the purposes of this  
22        Act, a team shall be considered based in Illinois if its  
23        home contests are held in Illinois, regardless of the  
24        location of the team's administrative offices.

25        (8) The practice of athletic training by persons  
26        licensed in another state who have applied in writing to

1 the Department for licensure by endorsement. This  
2 temporary right to act as an athletic trainer shall expire  
3 6 months after the filing of his or her written application  
4 to the Department; upon the withdrawal of the application  
5 for licensure under this Act; upon delivery of a notice of  
6 intent to deny the application from the Department; or upon  
7 the denial of the application by the Department, whichever  
8 occurs first. ~~for no longer than 6 months or until~~  
9 ~~notification has been given that licensure has been granted~~  
10 ~~or denied, whichever period of time is lesser.~~

11 (9) The practice of athletic training by one who has  
12 applied in writing to the Department for licensure and has  
13 complied with all the provisions of Section 9. This  
14 temporary right to act as an athletic trainer shall expire  
15 6 months after the filing of his or her written application  
16 to the Department; upon the withdrawal of the application  
17 for licensure under this Act; upon delivery of a notice of  
18 intent to deny the application from the Department; or upon  
19 the denial of the application by the Department, whichever  
20 occurs first. ~~for no longer than 6 months or until~~  
21 ~~notification has been given that licensure has been granted~~  
22 ~~or denied, whichever period of time is lesser.~~

23 (10) The practice of athletic training by persons  
24 actively licensed as an athletic trainer in another state  
25 or territory of the United states or another country, or  
26 currently certified by the ~~National Athletic Trainers~~

1 ~~Association~~ Board of Certification, ~~Inc.~~ or its successor  
2 entity, at a special athletic tournament or event conducted  
3 by a sanctioned amateur athletic organization, including,  
4 but not limited to, the Prairie State Games and the Special  
5 Olympics, for no more than 14 days. This shall not include  
6 contests or events that are part of a scheduled series of  
7 regular season events.

8 (11) Athletic trainer aides from performing patient  
9 care activities under the on-site supervision of a licensed  
10 athletic trainer. These patient care activities shall not  
11 include interpretation of referrals or evaluation  
12 procedures, planning or major modifications of patient  
13 programs, administration of medication, or solo practice  
14 or event coverage without immediate access to a licensed  
15 athletic trainer.

16 (12) Persons or entities practicing the specified  
17 occupations set forth in subsection (a) of, and pursuant to  
18 a licensing exemption granted in subsection (b) or (d) of,  
19 Section 2105-350 of the Department of Professional  
20 Regulation Law of the Civil Administrative Code of  
21 Illinois, but only for so long as the 2016 Olympic and  
22 Paralympic Games Professional Licensure Exemption Law is  
23 operable.

24 (Source: P.A. 96-7, eff. 4-3-09.)

25 (225 ILCS 5/5) (from Ch. 111, par. 7605)

1 (Section scheduled to be repealed on January 1, 2016)

2 Sec. 5. Administration of Act; ~~Licensure~~ Rules and Forms  
3 ~~Reports.~~

4 (a) The Department shall exercise the powers and duties  
5 prescribed by the Civil Administrative Code of Illinois for the  
6 administration of Licensure Acts and shall exercise such other  
7 powers and duties necessary for effectuating the purposes of  
8 this Act.

9 (b) The Secretary ~~Director~~ may promulgate rules consistent  
10 with the provisions of this Act for the administration and  
11 enforcement thereof, and for the payment of fees connected  
12 therewith, and may prescribe forms which shall be issued in  
13 connection therewith. The rules may ~~shall~~ include standards and  
14 criteria for licensure, certification, and ~~for~~ professional  
15 conduct and discipline. The Department may ~~shall~~ consult with  
16 the Board in promulgating rules. ~~Notice of proposed rulemaking~~  
17 ~~shall be transmitted to the Board, and the Department shall~~  
18 ~~review the Board's response and any recommendations made~~  
19 ~~therein. The Department shall notify the Board in writing with~~  
20 ~~proper explanation of deviations from the Board's~~  
21 ~~recommendations and responses.~~

22 (c) The Department may at any time seek the advice and the  
23 expert knowledge of the Board on any matter relating to the  
24 administration of this Act.

25 (d) (Blank). ~~The Department shall issue a quarterly report~~  
26 ~~to the Board of the status of all complaints related to the~~

1 ~~profession filed with the Department.~~

2 (Source: P.A. 89-216, eff. 1-1-96.)

3 (225 ILCS 5/6) (from Ch. 111, par. 7606)

4 (Section scheduled to be repealed on January 1, 2016)

5 Sec. 6. ~~Athletic Training Board Appointment Membership~~  
6 ~~Term Duties.~~ The Secretary Director shall appoint an  
7 Illinois Board of Athletic Trainers as follows: 7 persons who  
8 shall be appointed by and shall serve in an advisory capacity  
9 to the Secretary Director. Two members must be licensed  
10 physicians in good standing in this State; 4 members must be  
11 licensed athletic trainers in good standing, and actively  
12 engaged in the practice or teaching of athletic training in  
13 this State; and 1 member must be a public member who is not  
14 licensed under this Act, or a similar Act of another  
15 jurisdiction, and is not a provider of athletic health care  
16 service.

17 Members shall serve 4 year terms and until their successors  
18 are appointed and qualified. No member shall be reappointed to  
19 the Board for more than 2 consecutive terms. Appointments to  
20 fill vacancies shall be made in the same manner as original  
21 appointments, for the unexpired portion of the vacated term.

22 ~~The membership of the Board should reasonably reflect~~  
23 ~~representation from the geographic areas in this State.~~

24 The Secretary shall have the authority to remove or suspend  
25 any member of the Board for cause at any time before the

1 expiration of his or her term. The Secretary shall be the sole  
2 arbiter of cause ~~Director may terminate the appointment of any~~  
3 ~~member for cause~~ which in the opinion of the Secretary ~~Director~~  
4 reasonably justifies such termination.

5 The Secretary ~~may~~ ~~Director~~ shall consider the  
6 recommendation of the Board on questions involving standards of  
7 professional conduct, discipline, and qualifications of  
8 candidates and license holders under this Act.

9 Four members of the Board shall constitute a quorum. A  
10 quorum is required for all Board decisions. Members of the  
11 Board have no liability in any action based upon any  
12 disciplinary proceeding or other activity performed in good  
13 faith as a member of the Board. Members of the Board shall be  
14 reimbursed for all legitimate, necessary, and authorized  
15 expenses incurred in attending the meetings of the Board, from  
16 funds appropriated for that purpose.

17 (Source: P.A. 94-246, eff. 1-1-06.)

18 (225 ILCS 5/7) (from Ch. 111, par. 7607)

19 (Section scheduled to be repealed on January 1, 2016)

20 Sec. 7. Applications for original licensure. Applications  
21 for original licensure shall be made to the Department in  
22 writing on forms prescribed by the Department and shall be  
23 accompanied by the required fee, which shall not be returnable.  
24 Any such application shall require such information as in the  
25 judgment of the Department will enable the Department to pass

1 on the qualifications of the applicant for licensure.  
2 Applicants have 3 years from the date of application to  
3 complete the application process. If the process has not been  
4 completed within 3 years, the application shall be denied, the  
5 fee forfeited, and the applicant must reapply and meet the  
6 requirements in effect at the time of reapplication.

7 ~~The applicant is entitled to licensure as an athletic~~  
8 ~~trainer if he or she possesses the qualifications set forth in~~  
9 ~~Section 9 hereof, and satisfactorily completes the examination~~  
10 ~~administered by the National Athletic Trainers Association~~  
11 ~~Board of Certification, Inc.~~

12 (Source: P.A. 89-216, eff. 1-1-96.)

13 (225 ILCS 5/7.5 new)

14 Sec. 7.5. Social Security Number on license application. In  
15 addition to any other information required to be contained in  
16 the application, every application for an original license  
17 under this Act shall include the applicant's Social Security  
18 Number, which shall be retained in the Department's records  
19 pertaining to the license. As soon as practical, the Department  
20 shall assign a customer's identification number to each  
21 applicant for a license. Every application for a renewal or  
22 restored license shall require the applicant's customer  
23 identification number.

24 (225 ILCS 5/8) (from Ch. 111, par. 7608)

1 (Section scheduled to be repealed on January 1, 2016)

2 Sec. 8. Examinations.

3 If an applicant neglects, fails, or refuses to take an  
4 examination or fails to pass an examination for licensure under  
5 this Act within 3 years after filing his or her application,  
6 the application shall be denied. The applicant may thereafter  
7 make a new application accompanied by the required fee;  
8 however, the applicant shall meet all requirements in effect at  
9 the time of subsequent application before obtaining licensure.  
10 ~~However, such applicant may thereafter file a new application~~  
11 ~~accompanied by the required fee.~~

12 The Department may employ ~~engage the National Athletic~~  
13 ~~Trainers Association Board of Certification, Inc. as~~  
14 consultants for the purposes of preparing and conducting  
15 examinations.

16 (Source: P.A. 89-216, eff. 1-1-96.)

17 (225 ILCS 5/9) (from Ch. 111, par. 7609)

18 (Section scheduled to be repealed on January 1, 2016)

19 Sec. 9. Qualifications for licensure ~~Educational and~~  
20 ~~Professional Requirements.~~ A person ~~having the qualifications~~  
21 ~~prescribed in this Section~~ shall be qualified for licensure ~~to~~  
22 ~~receive a license~~ as an athletic trainer if he or she fulfills  
23 all of the following:

24 (a) Has graduated from a curriculum in athletic  
25 training accredited by the Commission on Accreditation of

1 ~~Athletic Training Education (CAATE) Joint Review Committee~~  
2 ~~on Athletic Training (JRC-AT) of the Commission on~~  
3 ~~Accreditation of Allied Health Education Programs~~  
4 ~~(CAAHEP), its successor entity, or its equivalent, as~~  
5 approved by the Department.

6 (b) Gives proof of current certification, on the date  
7 of application, in cardiopulmonary resuscitation (CPR) and  
8 automated external defibrillators (AED) ~~CPR/AED~~ for ~~the~~  
9 Healthcare Providers and Professional Rescuers or its  
10 equivalent based on American Red Cross or American Heart  
11 Association standards.

12 (b-5) Has graduated ~~and graduation~~ from a 4 year  
13 accredited college or university.

14 (c) Has passed an examination approved by the  
15 Department to determine his or her fitness for practice as  
16 an athletic trainer, or is entitled to be licensed without  
17 examination as provided in Sections 7 and 8 of this Act.

18 ~~The Department may request a personal interview of an~~  
19 ~~applicant before the Board to further evaluate his or her~~  
20 ~~qualifications for a license.~~

21 ~~An applicant has 3 years from the date of his or her~~  
22 ~~application to complete the application process. If the process~~  
23 ~~has not been completed in 3 years, the application shall be~~  
24 ~~denied, the fee forfeited, and the applicant must reapply and~~  
25 ~~meet the requirements in effect at the time of reapplication.~~

26 (Source: P.A. 94-246, eff. 1-1-06.)

1 (225 ILCS 5/10) (from Ch. 111, par. 7610)

2 (Section scheduled to be repealed on January 1, 2016)

3 Sec. 10. Expiration and License expiration; renewal;  
4 continuing education requirement. The expiration date and  
5 renewal period for ~~of~~ licenses issued under this Act shall be  
6 set by rule. As a condition for renewal of a license, licensees  
7 shall be required to complete continuing education in athletic  
8 training in accordance with rules established by the  
9 Department. Licenses shall be renewed according to procedures  
10 established by the Department and upon payment of the renewal  
11 fee established herein and proof of completion of approved  
12 continuing education relating to the performance and practice  
13 of athletic training. The number of hours required and their  
14 composition shall be set by rule.

15 (Source: P.A. 94-246, eff. 1-1-06.)

16 (225 ILCS 5/11) (from Ch. 111, par. 7611)

17 (Section scheduled to be repealed on January 1, 2016)

18 Sec. 11. Inactive licenses; restoration. Any athletic  
19 trainer who notifies the Department in writing on forms  
20 prescribed by the Department, may elect to place his or her  
21 license on an inactive status and shall, subject to rules of  
22 the Department, be excused from payment of renewal fees until  
23 he or she notifies the Department in writing of his or her  
24 desire to resume active status.

1 Any athletic trainer requesting restoration from inactive  
2 status shall be required to pay the current renewal fee, shall  
3 demonstrate compliance with continuing education requirements,  
4 if any, and shall be required to restore his or her license as  
5 provided in Section 12.

6 Any athletic trainer whose license is in expired or  
7 inactive status shall not practice athletic training in the  
8 State of Illinois.

9 (Source: P.A. 89-216, eff. 1-1-96.)

10 (225 ILCS 5/12) (from Ch. 111, par. 7612)

11 (Section scheduled to be repealed on January 1, 2016)

12 Sec. 12. Restoration of expired licenses. An athletic  
13 trainer who has permitted his or her license ~~registration~~ to  
14 expire or who has had his or her license on inactive status may  
15 have his or her license restored by making application to the  
16 Department and filing proof acceptable to the Department of his  
17 or her fitness to have his or her license restored, ~~including~~  
18 ~~sworn evidence certifying to active practice in another~~  
19 ~~jurisdiction satisfactory to the Department~~ and by paying the  
20 required fees ~~restoration fee~~. Proof of fitness may include  
21 sworn evidence certifying active lawful practice in another  
22 jurisdiction.

23 If the athletic trainer has not maintained an active  
24 practice in another jurisdiction satisfactory to the  
25 Department, the Department shall determine, by an evaluation

1 program established by rule, ~~with the advice of the Board~~ his  
2 or her fitness for restoration of the license and shall  
3 establish procedures and requirements for restoration ~~to~~  
4 ~~resume active status and may require the athletic trainer to~~  
5 ~~complete a period of evaluated clinical experience and may~~  
6 ~~require successful completion of an examination.~~

7 Any athletic trainer whose license has been expired for  
8 more than 5 years may have his or her license restored by  
9 making application to the Department and filing proof  
10 acceptable to the Department of his or her fitness to have his  
11 or her license restored, including sworn evidence certifying to  
12 active practice in another jurisdiction and by paying the  
13 required restoration fee. However, any athletic trainer whose  
14 license has expired while he or she has been engaged (1) in the  
15 federal service in active duty with the Army of the United  
16 States, the United States Navy, the Marine Corps, the Air  
17 Force, the Coast Guard, or the State Militia called into the  
18 service or training of the United States of America, or (2) in  
19 training or education under the supervision of the United  
20 States preliminary to induction into the military service, may  
21 have his or her license restored without paying any lapsed  
22 renewal fees or restoration fee, if within 2 years after  
23 termination of such service, training, or education, other than  
24 by dishonorable discharge, he or she furnished the Department  
25 with an affidavit to the effect that he or she has been so  
26 engaged and that his or her service, training, or education has

1 been so terminated.

2 (Source: P.A. 89-216, eff. 1-1-96.)

3 (225 ILCS 5/13) (from Ch. 111, par. 7613)

4 (Section scheduled to be repealed on January 1, 2016)

5 Sec. 13. Endorsement. The Department may, at its  
6 discretion, license as an athletic trainer, without  
7 examination, on payment of the required fee, an applicant for  
8 licensure who is an athletic trainer registered or licensed  
9 under the laws of another jurisdiction ~~state~~ if the  
10 requirements pertaining to athletic trainers in such  
11 jurisdiction ~~state~~ were at the date of his or her registration  
12 or licensure substantially equal to the requirements in force  
13 in Illinois on that date or equivalent to the requirements of  
14 this Act. ~~If the requirements of that state are not~~  
15 ~~substantially equal to the Illinois requirements, or if at the~~  
16 ~~time of application the state in which the applicant has been~~  
17 ~~practicing does not regulate the practice of athletic training,~~  
18 ~~and the applicant began practice in that state prior to January~~  
19 ~~1, 2004, a person having the qualifications prescribed in this~~  
20 ~~Section may be qualified to receive a license as an athletic~~  
21 ~~trainer if he or she:~~

22 ~~(1) has passed an examination approved by the~~  
23 ~~Department to determine his or her fitness for practice as~~  
24 ~~an athletic trainer; and~~

25 ~~(2) gives proof of current certification, on the date~~

1 ~~of application, in CPR/AED for the Healthcare Professional~~  
2 ~~or equivalent based on American Red Cross or American Heart~~  
3 ~~Association standards.~~

4 ~~The Department may request a personal interview of an~~  
5 ~~applicant before the Board to further evaluate his or her~~  
6 ~~qualifications for a license.~~

7 Applicants have 3 years from the date of application to  
8 complete the application process. If the process has not been  
9 completed in 3 years, the application shall be denied, the fee  
10 forfeited and the applicant must reapply and meet the  
11 requirements in effect at the time of reapplication.

12 (Source: P.A. 94-246, eff. 1-1-06.)

13 (225 ILCS 5/14) (from Ch. 111, par. 7614)

14 (Section scheduled to be repealed on January 1, 2016)

15 Sec. 14. Fees; returned checks. The fees for administration  
16 and enforcement of this Act, including but not limited to  
17 original licensure, renewal, and restoration shall be set by  
18 rule. The fees shall be non-refundable.

19 Any person who delivers a check or other payment to the  
20 Department that is returned to the Department unpaid by the  
21 financial institution upon which it is drawn shall pay to the  
22 Department, in addition to the amount already owed to the  
23 Department, a fine of \$50.

24 The fines imposed by this Section are in addition to any  
25 other discipline provided under this Act for unlicensed

1 practice or practice on a nonrenewed license. The Department  
2 shall notify the person that payment of fees and fines shall be  
3 paid to the Department by certified check or money order within  
4 30 calendar days of the notification. If, after the expiration  
5 of 30 days from the date of the notification, the person has  
6 failed to submit the necessary remittance, the Department shall  
7 automatically terminate the license or certificate or deny the  
8 application, without hearing. If, after termination or denial,  
9 the person seeks a license or certificate, he or she shall  
10 apply to the Department for restoration or issuance of the  
11 license or certificate and pay all fees and fines due to the  
12 Department. The Department may establish a fee for the  
13 processing of an application for restoration of a license or  
14 certificate to pay all expenses of processing this application.  
15 The Secretary ~~Director~~ may waive the fines due under this  
16 Section in individual cases where the Secretary ~~Director~~ finds  
17 that the fines would be unreasonable or unnecessarily  
18 burdensome.

19 (Source: P.A. 92-146, eff. 1-1-02.)

20 (225 ILCS 5/16) (from Ch. 111, par. 7616)

21 (Section scheduled to be repealed on January 1, 2016)

22 Sec. 16. Grounds for discipline ~~Refusal to issue,~~  
23 ~~suspension, or revocation of license.~~ (1) The Department  
24 may refuse to issue or renew, or may revoke, suspend, place on  
25 probation, reprimand, or take other disciplinary action as the

1 Department may deem proper, including fines not to exceed  
2 \$10,000 ~~\$5,000~~ for each violation, with regard to any licensee  
3 for any one or combination of the following:

4 (A) Material misstatement in furnishing information to  
5 the Department;

6 (B) Violations ~~Negligent or intentional disregard~~ of  
7 this Act, or of the rules or regulations promulgated  
8 hereunder;

9 (C) Conviction of or plea of guilty to any crime under  
10 the Criminal Code of 2012 or the laws of any jurisdiction  
11 of the United States ~~or any state or territory thereof~~ that  
12 is (i) a felony, (ii) a misdemeanor, an essential element  
13 of which is dishonesty, or (iii) of any crime that is  
14 directly related to the practice of the profession;

15 (D) Fraud or Making any misrepresentation in applying  
16 for or procuring a license under this Act, or in connection  
17 with applying for renewal of a license under this Act ~~for~~  
18 ~~the purpose of obtaining registration, or violating any~~  
19 ~~provision of this Act;~~

20 (E) Professional incompetence or gross negligence;

21 (F) Malpractice;

22 (G) Aiding or assisting another person, firm,  
23 partnership, or corporation in violating any provision of  
24 this Act or rules;

25 (H) Failing, within 60 days, to provide information in  
26 response to a written request made by the Department;

1 (I) Engaging in dishonorable, unethical, or  
2 unprofessional conduct of a character likely to deceive,  
3 defraud or harm the public;

4 (J) Habitual or excessive use or abuse ~~intoxication or~~  
5 ~~addiction to the use~~ of drugs defined in law as controlled  
6 substances, alcohol, or any other substance that results in  
7 the inability to practice with reasonable judgment, skill,  
8 or safety;

9 (K) Discipline by another state, unit of government,  
10 government agency, the District of Columbia, territory, or  
11 foreign nation, if at least one of the grounds for the  
12 discipline is the same or substantially equivalent to those  
13 set forth herein;

14 (L) Directly or indirectly giving to or receiving from  
15 any person, firm, corporation, partnership, or association  
16 any fee, commission, rebate, or other form of compensation  
17 for any professional services not actually or personally  
18 rendered. Nothing in this subparagraph (L) affects any bona  
19 fide independent contractor or employment arrangements  
20 among health care professionals, health facilities, health  
21 care providers, or other entities, except as otherwise  
22 prohibited by law. Any employment arrangements may include  
23 provisions for compensation, health insurance, pension, or  
24 other employment benefits for the provision of services  
25 within the scope of the licensee's practice under this Act.  
26 Nothing in this subparagraph (L) shall be construed to

1 require an employment arrangement to receive professional  
2 fees for services rendered;

3 (M) A finding by the Department that the licensee after  
4 having his or her license disciplined ~~placed on~~  
5 ~~probationary status~~ has violated the terms of probation;

6 (N) Abandonment of an athlete;

7 (O) Willfully making or filing false records or reports  
8 in his or her practice, including but not limited to false  
9 records filed with State agencies or departments;

10 (P) Willfully failing to report an instance of  
11 suspected child abuse or neglect as required by the Abused  
12 and Neglected Child Reporting Act;

13 (Q) Physical illness, including but not limited to  
14 deterioration through the aging process, or loss of motor  
15 skill that results in the inability to practice the  
16 profession with reasonable judgment, skill, or safety;

17 (R) Solicitation of professional services other than  
18 by permitted institutional policy;

19 (S) The use of any words, abbreviations, figures or  
20 letters with the intention of indicating practice as an  
21 athletic trainer without a valid license as an athletic  
22 trainer under this Act;

23 (T) The evaluation or treatment of ailments of human  
24 beings other than by the practice of athletic training as  
25 defined in this Act or the treatment of injuries of  
26 athletes by a licensed athletic trainer except by the

1 referral of a physician, podiatric physician, or dentist;

2 (U) Willfully violating or knowingly assisting in the  
3 violation of any law of this State relating to the use of  
4 habit-forming drugs;

5 (V) Willfully violating or knowingly assisting in the  
6 violation of any law of this State relating to the practice  
7 of abortion;

8 (W) Continued practice by a person knowingly having an  
9 infectious communicable or contagious disease;

10 (X) Being named as a perpetrator in an indicated report  
11 by the Department of Children and Family Services pursuant  
12 to the Abused and Neglected Child Reporting Act and upon  
13 proof by clear and convincing evidence that the licensee  
14 has caused a child to be an abused child or neglected child  
15 as defined in the Abused and Neglected Child Reporting Act;

16 (Y) (Blank) ~~Failure to file a return, or to pay the~~  
17 ~~tax, penalty, or interest shown in a filed return, or to~~  
18 ~~pay any final assessment of tax, penalty, or interest, as~~  
19 ~~required by any tax Act administered by the Illinois~~  
20 ~~Department of Revenue, until such time as the requirements~~  
21 ~~of any such tax Act are satisfied; or~~

22 (Z) Failure to fulfill continuing education  
23 requirements; ~~as prescribed in Section 10 of this Act.~~

24 (AA) Allowing one's license under this Act to be used  
25 by an unlicensed person in violation of this Act;

26 (BB) Practicing under a false or, except as provided by

1 law, assumed name;

2 (CC) Promotion of the sale of drugs, devices,  
3 appliances, or goods provided in any manner to exploit the  
4 client for the financial gain of the licensee;

5 (DD) Gross, willful, or continued overcharging for  
6 professional services;

7 (EE) Mental illness or disability that results in the  
8 inability to practice under this Act with reasonable  
9 judgment, skill, or safety; or

10 (FF) Cheating on or attempting to subvert the licensing  
11 examination administered under this Act.

12 All fines imposed under this Section shall be paid within  
13 60 days after the effective date of the order imposing the fine  
14 or in accordance with the terms set forth in the order imposing  
15 the fine.

16 (2) The determination by a circuit court that a licensee is  
17 subject to involuntary admission or judicial admission as  
18 provided in the Mental Health and Developmental Disabilities  
19 Code operates as an automatic suspension. Such suspension will  
20 end only upon a finding by a court that the licensee ~~athletic~~  
21 ~~trainer~~ is no longer subject to involuntary admission or  
22 judicial admission and issuance of ~~issues~~ an order so finding  
23 and discharging the licensee ~~athlete;~~ and ~~upon the~~  
24 ~~recommendation of the Board to the Director that the licensee~~  
25 ~~be allowed to resume his or her practice.~~

26 (3) The Department may refuse to issue or may suspend

1 without hearing, as provided for in the Code of Civil  
2 Procedure, the license of any person who fails to file a  
3 return, to pay the tax, penalty, or interest shown in a filed  
4 return, or to pay any final assessment of tax, penalty, or  
5 interest as required by any tax Act administered by the  
6 Illinois Department of Revenue, until such time as the  
7 requirements of any such tax Act are satisfied in accordance  
8 with subsection (a) of Section 2105-15 of the Department of  
9 Professional Regulation Law of the Civil Administrative Code of  
10 Illinois.

11 (4) In enforcing this Section, the Department, upon a  
12 showing of a possible violation, may compel any individual who  
13 is licensed under this Act or any individual who has applied  
14 for licensure to submit to a mental or physical examination or  
15 evaluation, or both, which may include a substance abuse or  
16 sexual offender evaluation, at the expense of the Department.  
17 The Department shall specifically designate the examining  
18 physician licensed to practice medicine in all of its branches  
19 or, if applicable, the multidisciplinary team involved in  
20 providing the mental or physical examination and evaluation.  
21 The multidisciplinary team shall be led by a physician licensed  
22 to practice medicine in all of its branches and may consist of  
23 one or more or a combination of physicians licensed to practice  
24 medicine in all of its branches, licensed chiropractic  
25 physicians, licensed clinical psychologists, licensed clinical  
26 social workers, licensed clinical professional counselors, and

1 other professional and administrative staff. Any examining  
2 physician or member of the multidisciplinary team may require  
3 any person ordered to submit to an examination and evaluation  
4 pursuant to this Section to submit to any additional  
5 supplemental testing deemed necessary to complete any  
6 examination or evaluation process, including, but not limited  
7 to, blood testing, urinalysis, psychological testing, or  
8 neuropsychological testing.

9 The Department may order the examining physician or any  
10 member of the multidisciplinary team to provide to the  
11 Department any and all records, including business records,  
12 that relate to the examination and evaluation, including any  
13 supplemental testing performed. The Department may order the  
14 examining physician or any member of the multidisciplinary team  
15 to present testimony concerning this examination and  
16 evaluation of the licensee or applicant, including testimony  
17 concerning any supplemental testing or documents relating to  
18 the examination and evaluation. No information, report,  
19 record, or other documents in any way related to the  
20 examination and evaluation shall be excluded by reason of any  
21 common law or statutory privilege relating to communication  
22 between the licensee or applicant and the examining physician  
23 or any member of the multidisciplinary team. No authorization  
24 is necessary from the licensee or applicant ordered to undergo  
25 an evaluation and examination for the examining physician or  
26 any member of the multidisciplinary team to provide

1 information, reports, records, or other documents or to provide  
2 any testimony regarding the examination and evaluation. The  
3 individual to be examined may have, at his or her own expense,  
4 another physician of his or her choice present during all  
5 aspects of the examination.

6 Failure of any individual to submit to a mental or physical  
7 examination or evaluation, or both, when directed, shall result  
8 in an automatic suspension without hearing, until such time as  
9 the individual submits to the examination. If the Department  
10 finds a licensee unable to practice because of the reasons set  
11 forth in this Section, the Department shall require the  
12 licensee to submit to care, counseling, or treatment by  
13 physicians approved or designated by the Department as a  
14 condition for continued, reinstated, or renewed licensure.

15 When the Secretary immediately suspends a license under  
16 this Section, a hearing upon such person's license must be  
17 convened by the Department within 15 days after the suspension  
18 and completed without appreciable delay. The Department shall  
19 have the authority to review the licensee's record of treatment  
20 and counseling regarding the impairment to the extent permitted  
21 by applicable federal statutes and regulations safeguarding  
22 the confidentiality of medical records.

23 Individuals licensed under this Act who are affected under  
24 this Section shall be afforded an opportunity to demonstrate to  
25 the Department that they can resume practice in compliance with  
26 acceptable and prevailing standards under the provisions of

1 their license.

2 (5) The Department shall deny a license or renewal  
3 authorized by this Act to a person who has defaulted on an  
4 educational loan or scholarship provided or guaranteed by the  
5 Illinois Student Assistance Commission or any governmental  
6 agency of this State in accordance with paragraph (5) of  
7 subsection (a) of Section 2105-15 of the Department of  
8 Professional Regulation Law of the Civil Administrative Code of  
9 Illinois.

10 (6) In cases where the Department of Healthcare and Family  
11 Services has previously determined a licensee or a potential  
12 licensee is more than 30 days delinquent in the payment of  
13 child support and has subsequently certified the delinquency to  
14 the Department, the Department may refuse to issue or renew or  
15 may revoke or suspend that person's license or may take other  
16 disciplinary action against that person based solely upon the  
17 certification of delinquency made by the Department of  
18 Healthcare and Family Services in accordance with paragraph (5)  
19 of subsection (a) of Section 2105-15 of the Department of  
20 Professional Regulation Law of the Civil Administrative Code of  
21 Illinois.

22 (Source: P.A. 98-214, eff. 8-9-13.)

23 (225 ILCS 5/17) (from Ch. 111, par. 7617)

24 (Section scheduled to be repealed on January 1, 2016)

25 Sec. 17. Violations; injunction; cease and desist order -

1 ~~Injunction — Cease and desist order.~~

2 (a) If any person violates a ~~the~~ provision of this Act, the  
3 Secretary ~~Director~~ may, in the name of the People of the State  
4 of Illinois, through the Attorney General of the State of  
5 Illinois or the State's Attorney of the county in which the  
6 violation is alleged to have occurred, petition for an order  
7 enjoining such violation or for an order enforcing compliance  
8 with this Act. Upon the filing of a verified petition in such  
9 court, the court may issue a temporary restraining order,  
10 without notice or bond, and may preliminarily and permanently  
11 enjoin such violation, and if it is established that such  
12 person has violated or is violating the injunction, the court  
13 may punish the offender for contempt of court. Proceedings  
14 under this Section shall be in addition to, and not in lieu of,  
15 all other remedies and penalties provided by this Act.

16 (b) If any person shall hold himself or herself out in a  
17 manner prohibited by this Act, any interested party or any  
18 person injured thereby may, in addition to the Secretary  
19 ~~Director~~, petition for relief as provided in subsection (a) of  
20 this Section.

21 (c) Whenever in the opinion of the Department any person  
22 violates any provision of this Act, the Department may issue a  
23 rule to show cause why an order to cease and desist should not  
24 be entered against him or her. The rule shall clearly set forth  
25 the grounds relied upon by the Department and shall provide a  
26 period of 7 days from the date of the rule to file an answer to

1 the satisfaction of the Department. Failure to answer to the  
2 satisfaction of the Department shall cause an order to cease  
3 and desist to be issued forthwith.

4 (Source: P.A. 84-1080.)

5 (225 ILCS 5/17.5)

6 (Section scheduled to be repealed on January 1, 2016)

7 Sec. 17.5. Unlicensed practice; violation; civil penalty.

8 (a) In addition to any other penalty provided by law, any  
9 ~~Any~~ person who practices, offers to practice, attempts to  
10 practice, or holds oneself out to practice as a licensed  
11 athletic trainer without being licensed under this Act shall,  
12 in addition to any other penalty provided by law, pay a civil  
13 penalty to the Department in an amount not to exceed \$10,000  
14 ~~\$5,000~~ for each offense as determined by the Department. The  
15 civil penalty shall be assessed by the Department after a  
16 hearing is held in accordance with the provisions set forth in  
17 this Act regarding the provision of a hearing for the  
18 discipline of a licensee.

19 (b) The Department has the authority and power to  
20 investigate any and all unlicensed activity.

21 (c) The civil penalty shall be paid within 60 days after  
22 the effective date of the order imposing the civil penalty or  
23 in accordance with the order imposing the civil penalty. The  
24 order shall constitute a judgment and may be filed and  
25 execution had thereon in the same manner as any judgment from

1 any court of record.

2 (Source: P.A. 94-246, eff. 1-1-06.)

3 (225 ILCS 5/18) (from Ch. 111, par. 7618)

4 (Section scheduled to be repealed on January 1, 2016)

5 Sec. 18. Investigations; notice and hearing. The  
6 Department may investigate the actions of any applicant or of  
7 any person or persons holding or claiming to hold a license.  
8 The Department shall, before refusing to issue or to renew a  
9 license or disciplining a registrant, at least 30 days prior to  
10 the date set for the hearing, notify in writing the applicant  
11 or licensee ~~for, or holder of, a license~~ of the nature of the  
12 charges and the time and place that a hearing will be held on  
13 the charges ~~date designated~~. The Department shall direct the  
14 applicant or licensee to file a written answer ~~to the Board~~  
15 under oath within 20 days after the service of the notice ~~and~~  
16 ~~inform the applicant or licensee that failure to file an answer~~  
17 ~~will result in default being taken against the applicant or~~  
18 ~~licensee and that the license or certificate may be suspended,~~  
19 ~~revoked, placed on probationary status, or other disciplinary~~  
20 ~~action may be taken, including limiting the scope, nature, or~~  
21 ~~extent of practice, as the Director may deem proper. Written~~  
22 ~~notice may be served by personal delivery or certified or~~  
23 ~~registered mail to the respondent at the address of his or her~~  
24 ~~last notification to the Department.~~ In case the person fails  
25 to file an answer after receiving notice, his or her license or

1 certificate may, in the discretion of the Department, be  
2 suspended, revoked, or placed on probationary status, or the  
3 Department may take whatever disciplinary action deemed  
4 proper, including limiting the scope, nature, or extent of the  
5 person's practice or the imposition of a fine, without a  
6 hearing, if the act or acts charged constitute sufficient  
7 grounds for such action under this Act. At the time and place  
8 fixed in the notice, the Department Board shall proceed to hear  
9 the charges, and the parties or their counsel shall be accorded  
10 ample opportunity to present such statements, testimony,  
11 evidence, and argument as may be pertinent to the charges or to  
12 their defense. The Department Board may continue a hearing from  
13 time to time. The written notice and any notice in the  
14 subsequent proceeding may be served by registered or certified  
15 mail to the licensee's address of record.

16 (Source: P.A. 89-216, eff. 1-1-96.)

17 (225 ILCS 5/18.5 new)

18 Sec. 18.5. Confidentiality. All information collected by  
19 the Department in the course of an examination or investigation  
20 of a licensee or applicant, including, but not limited to, any  
21 complaint against a licensee filed with the Department and  
22 information collected to investigate any such complaint, shall  
23 be maintained for the confidential use of the Department and  
24 shall not be disclosed. The Department may not disclose the  
25 information to anyone other than law enforcement officials,

1 other regulatory agencies that have an appropriate regulatory  
2 interest as determined by the Secretary, or a party presenting  
3 a lawful subpoena to the Department. Information and documents  
4 disclosed to a federal, State, county, or local law enforcement  
5 agency shall not be disclosed by the agency for any purpose to  
6 any other agency or person. A formal complaint filed against a  
7 licensee by the Department or any order issued by the  
8 Department against a licensee or applicant shall be a public  
9 record, except as otherwise prohibited by law.

10 (225 ILCS 5/19) (from Ch. 111, par. 7619)

11 (Section scheduled to be repealed on January 1, 2016)

12 Sec. 19. Record of proceedings ~~Stenographer — Transcript.~~

13 The Department, at its expense, shall preserve a record of all  
14 proceedings at the formal hearing of any case ~~involving the~~  
15 ~~refusal to issue or renew a license or the discipline of a~~  
16 ~~licensee~~. The notice of hearing, complaint and all other  
17 documents in the nature of pleadings and written motions filed  
18 in the proceedings, the transcript of testimony, the report of  
19 the Board and order of the Department shall be the record of  
20 such proceeding. Any licensee who is found to have violated  
21 this Act or who fails to appear for a hearing to refuse to  
22 issue, restore, or renew a license or to discipline a licensee  
23 may be required by the Department to pay for the costs of the  
24 proceeding. These costs are limited to costs for court  
25 reporters, transcripts, and witness attendance and mileage

1 fees. All costs imposed under this Section shall be paid within  
2 60 days after the effective date of the order imposing the fine  
3 or in accordance with the terms set forth in the order imposing  
4 the fine.

5 (Source: P.A. 89-216, eff. 1-1-96.)

6 (225 ILCS 5/19.5 new)

7 Sec. 19.5. Subpoenas; oaths. The Department may subpoena  
8 and bring before it any person and may take the oral or written  
9 testimony of any person or compel the production of any books,  
10 papers, records, or any other documents that the Secretary or  
11 his or her designee deems relevant or material to an  
12 investigation or hearing conducted by the Department with the  
13 same fees and mileage and in the same manner as prescribed by  
14 law in judicial procedure in civil cases in courts of this  
15 State.

16 The Secretary, the designated hearing officer, any member  
17 of the Board, or a certified shorthand court reporter may  
18 administer oaths at any hearing which the Department conducts.  
19 Notwithstanding any other statute or Department rule to the  
20 contrary, all requests for testimony or production of documents  
21 or records shall be in accordance with this Act.

22 (225 ILCS 5/20) (from Ch. 111, par. 7620)

23 (Section scheduled to be repealed on January 1, 2016)

24 Sec. 20. Attendance of witnesses; contempt ~~Compelling~~

1 ~~testimony~~. Any circuit court may, upon application of the  
2 Department or its designee or of the applicant or licensee  
3 against whom proceedings pursuant to Section 20 of this Act are  
4 pending, enter an order requiring the attendance of witnesses  
5 and their testimony, and the production of documents, papers,  
6 files, books, and records in connection with any hearing or  
7 investigation. The court may compel obedience to its order by  
8 proceedings for contempt.

9 (Source: P.A. 89-216, eff. 1-1-96.)

10 (225 ILCS 5/21) (from Ch. 111, par. 7621)

11 (Section scheduled to be repealed on January 1, 2016)

12 Sec. 21. Findings of Board ~~and recommendations~~. At the  
13 conclusion of the hearing the Board shall present to the  
14 Secretary Director a written report of its findings of fact,  
15 conclusions of law, and recommendations. The report shall  
16 contain a finding of whether or not the accused person violated  
17 this Act or failed to comply with the conditions required in  
18 this Act. The Board shall specify the nature of the violation  
19 or failure to comply, and shall make its recommendations to the  
20 Secretary Director.

21 The report of findings of fact, conclusions of law, and  
22 recommendations of the Board shall be the basis for the  
23 Department's order refusing to issue, restore, or renew a  
24 license, or otherwise disciplining a licensee. If ~~of refusal or~~  
25 ~~for the granting of licensure unless~~ the Secretary disagrees

1 ~~with the report of Director shall determine that~~ the Board,  
2 ~~report is contrary to the manifest weight of the evidence, in~~  
3 ~~which case~~ the Secretary ~~Director~~ may issue an order in  
4 contravention of the Board report. The finding is not  
5 admissible in evidence against the person in a criminal  
6 prosecution brought for the violation of this Act, but the  
7 hearing and finding are not a bar to a criminal prosecution  
8 brought for the violation of this Act.

9 (Source: P.A. 89-216, eff. 1-1-96.)

10 (225 ILCS 5/22) (from Ch. 111, par. 7622)

11 (Section scheduled to be repealed on January 1, 2016)

12 Sec. 22. Report of Board; motion for rehearing ~~Rehearing.~~

13 In any case involving the refusal to issue or renew a license  
14 or the discipline of a licensee, a copy of the Board's report  
15 shall be served upon the respondent by the Department, ~~either~~  
16 ~~personally or~~ as provided in this Act for the service of the  
17 notice of hearing. Within 20 days after such service, the  
18 respondent may present to the Department a motion in writing  
19 for a rehearing, which motion shall specify the particular  
20 grounds therefor. If no motion for rehearing is filed, then  
21 upon the expiration of the time specified for filing such a  
22 motion, or if a motion for rehearing is denied, then upon such  
23 denial the Secretary ~~Director~~ may enter an order in accordance  
24 with recommendations of the Board except as provided in Section  
25 23 of this Act. If the respondent shall order from the

1 reporting service, and pay for a transcript of the record  
2 within the time for filing a motion for rehearing, the 20 day  
3 period within which such a motion may be filed shall commence  
4 upon the delivery of the transcript to the respondent.

5 (Source: P.A. 89-216, eff. 1-1-96.)

6 (225 ILCS 5/23) (from Ch. 111, par. 7623)

7 (Section scheduled to be repealed on January 1, 2016)

8 Sec. 23. ~~Director~~ Rehearing. Whenever the Secretary  
9 ~~Director~~ is satisfied that substantial justice has not been  
10 done in the revocation or suspension of a license or refusal to  
11 issue or renew a license, the Secretary ~~Director~~ may order a  
12 rehearing by the same or other examiners.

13 (Source: P.A. 89-216, eff. 1-1-96.)

14 (225 ILCS 5/24) (from Ch. 111, par. 7624)

15 (Section scheduled to be repealed on January 1, 2016)

16 Sec. 24. Hearing officer appointment. The Secretary  
17 ~~Director~~ shall have the authority to appoint any attorney duly  
18 licensed to practice law in the State of Illinois to serve as  
19 the hearing officer in any action for refusal to issue or  
20 renew a license, or for the taking of disciplinary action  
21 against a license ~~discipline of a licensee~~. The hearing officer  
22 shall have full authority to conduct the hearing. The hearing  
23 officer shall report his or her findings of fact, conclusions  
24 of law, and recommendations to the Board and the Secretary

1 ~~Director~~. The Board shall have 90 ~~60~~ days from receipt of the  
2 report to review the report of the hearing officer and present  
3 its ~~their~~ findings of fact, conclusions of law and  
4 recommendation to the Secretary ~~Director~~. If the Board fails to  
5 present its report within the 90 ~~60~~ day period, the Secretary  
6 ~~may~~ ~~Director shall~~ issue an order based on the report of the  
7 hearing officer. If the Secretary ~~Director~~ determines that the  
8 Board's report is contrary to the manifest weight of the  
9 evidence, he or she may issue an order in contravention of the  
10 Board's report.

11 (Source: P.A. 89-216, eff. 1-1-96.)

12 (225 ILCS 5/25) (from Ch. 111, par. 7625)

13 (Section scheduled to be repealed on January 1, 2016)

14 Sec. 25. Order or certified copy thereof; prima ~~—Prima~~  
15 facie proof. An order or a certified copy thereof, over the  
16 seal of the Department and purporting to be signed by the  
17 Secretary ~~Director~~, shall be prima facie proof:

18 (a) That such signature is the genuine signature of the  
19 Secretary ~~Director~~;

20 (b) That such Secretary ~~Director~~ is duly appointed and  
21 qualified;

22 (c) (Blank) ~~That the Board and the members thereof are~~  
23 ~~qualified to act.~~

24 (Source: P.A. 84-1080.)

1 (225 ILCS 5/26) (from Ch. 111, par. 7626)

2 (Section scheduled to be repealed on January 1, 2016)

3 Sec. 26. Restoration of ~~suspended or revoked~~ license from  
4 discipline. At any time after the successful completion of a  
5 term of indefinite probation, suspension or revocation of any  
6 license, the Department may restore the license to the  
7 licensee, unless, after an investigation and a hearing, the  
8 Secretary determines that restoration is not in the public  
9 interest or that the licensee has not been sufficiently  
10 rehabilitated to warrant the public trust. No person or entity  
11 whose license, certificate, or authority has been revoked as  
12 authorized in this Act may apply for restoration of that  
13 license, certificate, or authority until such time as provided  
14 for in the Civil Administrative Code of Illinois ~~it to the~~  
15 ~~accused person upon the written recommendation of the Board~~  
16 ~~unless, after an investigation and a hearing, the Board~~  
17 ~~determines that restoration is not in the public interest.~~

18 (Source: P.A. 89-216, eff. 1-1-96.)

19 (225 ILCS 5/27) (from Ch. 111, par. 7627)

20 (Section scheduled to be repealed on January 1, 2016)

21 Sec. 27. Surrender of license. Upon the revocation or  
22 suspension of any license, the licensee shall forthwith  
23 surrender the license or licenses to the Department, and if he  
24 or she fails to do so, the Department shall have the right to  
25 seize the license.

1 (Source: P.A. 89-216, eff. 1-1-96.)

2 (225 ILCS 5/28) (from Ch. 111, par. 7628)

3 (Section scheduled to be repealed on January 1, 2016)

4 Sec. 28. Summary ~~Temporary~~ suspension of a license. The  
5 Secretary Director may summarily ~~temporarily~~ suspend the  
6 license of an athletic trainer without a hearing,  
7 simultaneously with the institution of proceedings for a  
8 hearing provided for in Section 20 of this Act, if the  
9 Secretary Director finds that evidence ~~in his or her possession~~  
10 indicates that an athletic trainer's continuation in practice  
11 would constitute an imminent danger to the public. In the event  
12 that the Secretary Director suspends, summarily ~~temporarily~~,  
13 the license of an athletic trainer without a hearing, a hearing  
14 shall be commenced ~~by the Board must be held~~ within 30 days  
15 after such suspension has occurred and shall be concluded as  
16 expeditiously as possible.

17 (Source: P.A. 89-216, eff. 1-1-96.)

18 (225 ILCS 5/29) (from Ch. 111, par. 7629)

19 (Section scheduled to be repealed on January 1, 2016)

20 Sec. 29. Administrative review; ~~-~~ Venue. All final  
21 administrative decisions of the Department are subject to  
22 judicial review pursuant to the provisions of the  
23 "Administrative Review Law", ~~as now or hereafter amended~~ and  
24 all rules adopted pursuant thereto. The term "administrative

1 decision" is defined as in Section 3-101 of the Code of Civil  
2 Procedure.

3 Proceedings for judicial review shall be commenced in the  
4 circuit court of the county in which the party applying for  
5 review ~~relief~~ resides; but if the party is not a resident of  
6 this State, the venue shall be in Sangamon County.

7 (Source: P.A. 84-1080.)

8 (225 ILCS 5/30) (from Ch. 111, par. 7630)

9 (Section scheduled to be repealed on January 1, 2016)

10 Sec. 30. Certifications of record; costs. The Department  
11 shall not be required to certify any record to the Court or  
12 file any answer in court or otherwise appear in any court in a  
13 judicial review proceeding, unless and until the Department has  
14 received from the plaintiff payment of the costs of furnishing  
15 and certifying the record, which costs shall be determined by  
16 the Department. Exhibits shall be certified without cost ~~there~~  
17 ~~is filed in the court, with the complaint, a receipt from the~~  
18 ~~Department acknowledging payment of the costs of furnishing and~~  
19 ~~certifying the record.~~ Failure on the part of the plaintiff to  
20 file a receipt in court ~~Court~~ shall be grounds for dismissal of  
21 the action.

22 (Source: P.A. 87-1031.)

23 (225 ILCS 5/31) (from Ch. 111, par. 7631)

24 (Section scheduled to be repealed on January 1, 2016)

1           Sec. 31. Criminal penalties ~~Violations~~. Any person who is  
2 found to have violated any provision of this Act is guilty of a  
3 Class A misdemeanor for a first offense. On conviction of a  
4 second or subsequent offense, the violator shall be guilty of a  
5 Class 4 felony.

6           (Source: P.A. 84-1080.)

7           (225 ILCS 5/36 new)

8           Sec. 36. Repealer. This Act is repealed on January 1, 2026.

9           Section 99. Effective date. This Act takes effect upon  
10 becoming law.".